

EXHIBIT 1

From: [Bernick, Paige I](#)
To: [Jeff Orr](#)
Cc: [Blake Creekmur](#); [Shannon Smith](#)
Subject: RE: Agilent inventory loss - : Zurich Claim 9510198160, Insured St. Paul Fire and Marine
Date: Tuesday, November 26, 2024 2:45:42 PM
Attachments: [image002.png](#)
[image003.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image011.png](#)
[image012.png](#)

Hey Jeff,

I am up to speed on this matter. My client will not authorize me to share their Lease with FM Global in the matter.

If there is a statute or regulation that requires us to share, please advise and I can over that information with my client. I am available to discuss on the phone as well.

Paige



Paige I. Bernick Attorney at Law
Lewis Thomason, P.C.
424 Church Street, Suite 2500 | P.O. Box 198615 | Nashville, TN
37219
Tel: 615-259-1366 | Fax: 615-259-1389
[Web Page](#) | [My Bio](#)

From: Jeff Orr <JOrr@smithcashion.com>

Sent: Friday, November 1, 2024 8:44 AM

To: Bernick, Paige I <PBernick@lewisthomason.com>

Cc: Blake Creekmur <BCreekmur@smithcashion.com>; Shannon Smith <SSmith@smithcashion.com>

Subject: RE: Agilent inventory loss - : Zurich Claim 9510198160, Insured St. Paul Fire and Marine

Thanks

Jefferson C. Orr

Member

Smith Cashion & Orr, PLC
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From: Bernick, Paige I <PBernick@lewisthomason.com>

Sent: Friday, November 1, 2024 8:32 AM

To: Jeff Orr <JOrr@smithcashion.com>

Cc: Blake Creekmur <BCreekmur@smithcashion.com>; Shannon Smith <SSmith@smithcashion.com>

Subject: RE: Agilent inventory loss - : Zurich Claim 9510198160, Insured St. Paul Fire and Marine

Good morning Jeff,

I will speak with my client regarding the location of the lease agreement.

Also, we are okay if the damaged inventory is disposed.

Thank you,

Paige



Paige I. Bernick Attorney at Law
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Tel: 615-259-1366 | Fax: 615-259-1389
[Web Page](#) | [My Bio](#)

From: Jeff Orr <JOrr@smithcashion.com>

Sent: Tuesday, October 29, 2024 1:16 PM

To: Bernick, Paige I <PBernick@lewisthomason.com>

Cc: Blake Creekmur <BCreekmur@smithcashion.com>; Shannon Smith <SSmith@smithcashion.com>

Subject: RE: Agilent inventory loss - : Zurich Claim 9510198160, Insured St. Paul Fire and Marine

Paige,

I just left you a vm.

I do not know if we have ever met, but David Garst and I are good friends and colleagues.

I am following up on the below email and my request for a copy of the Xpedient/St. Paul lease agreement for the warehouse.

Please provide at your earliest convenience.

Thanks and I will look forward to hearing back from you.

Jefferson C. Orr*Member*

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From: Jeff Orr**Sent:** Monday, October 28, 2024 10:01 AM**To:** Bernick, Paige I <PBernick@lewisthomason.com>**Cc:** Blake Creekmur <BCreekmur@smithcashion.com>; Shannon Smith <SSmith@smithcashion.com>**Subject:** RE: Agilent inventory loss - : Zurich Claim 9510198160, Insured St. Paul Fire and Marine

Paige,

As noted in the below email, this firm has been retained by FM Global to represent its interests in connection with this matter.

I wanted to advise you that we sent a letter to St. Paul last Friday (before I knew of your engagement), and a copy of the letter is attached. As you can see from reviewing the letter, Agilent intends to dispose of the damaged inventory on November 1, so if you or your client wishes to see the damaged inventory before it is discarded, let me know ASAP and I will make the necessary arrangement.

Lastly, consistent with the below email, can you please email me a copy of St. Paul's lease Agreement with Xpedient for the Cromwell Avenue warehouse?

Thanks and I will look forward to working with you on this matter.

Jefferson C. Orr*Member*

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From: Dan Bush <danny.bush@zurichna.com>

Sent: Monday, October 28, 2024 8:40 AM

To: Jeff Orr <JOrr@smithcashion.com>

Cc: Blake Creekmur <BCreekmur@smithcashion.com>; Bernick, Paige I
<PBernick@lewisthomason.com>

Subject: RE: Agilent inventory loss - : Zurich Claim 9510198160, Insured St. Paul Fire and Marine

Good morning Jeff,

Paige Burnick of Lewis Thomaston has been retained for St. Paul. I copied Paige on this response so she can review/respond to your request.

Thanks,

Dan Bush

Complex Liability Claims Specialist
Complex Claims

-
- ☐ OH Virtual Office
☐ 216-447-3917
☐ danny.bush@zurichna.com
-



Confidential \ Personal Data

From: Jeff Orr <JOrr@smithcashion.com>

Sent: Monday, October 28, 2024 9:19 AM

To: Dan Bush <danny.bush@zurichna.com>

Cc: Blake Creekmur <BCreekmur@smithcashion.com>

Subject: [EXTERNAL] FW: Agilent inventory loss - : Zurich Claim 9510198160, Insured St. Paul Fire and Marine

Danny,

As you may know, FM Global insures certain property of Agilent Technologies, including the inventory that was stored in the warehouse owned by St. Paul located on Cromwell Avenue in Memphis. Much of that inventory was damaged when a pipe froze and ruptured in January 2024. Preliminary estimates place the value of the loss at around \$7M.

FM Global has hired this firm to investigate the subrogation potential for the loss, and we have been provided with a copy of the attached letter that you recently sent to Mr. John Low of Agilent. In your letter, you reference a lease agreement between St. Paul and Xpedient for the subject warehouse.

Can you please provide me with a copy of the lease agreement? I am trying to learn more about Xpedient's maintenance/repair obligations under the lease agreement.

Thanks and I will look forward to hearing back from you.

Jefferson C. Orr

Member

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From: Dan Bush <danny.bush@zurichna.com>

Sent: Tuesday, September 17, 2024 9:46 AM

To: john.low@agilent.com

Cc: USZ_Zurich_Claims_Documents <usz.zurich.claims.documents@zurichna.com>

Subject: Zurich Claim 9510198160, Insured St. Paul Fire and Marine

External Sender - Use caution opening files, clicking links, or responding to requests.

Mr. Low,

Please review the attached letter regarding Zurich's decision on the above claim.

Sincerely,

Dan Bush

Dan Bush

Complex Liability Claims Specialist
Complex Claims

-
- ☐ OH Virtual Office
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-



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